

UNITED STATES DISTRICT COURT
 for the
 Southern District of Texas

**United States District Court
 Southern District Of Texas
 FILED**

JUN 08 2019

David J. Bradley, Clerk

United States of America)
 v.)
 Jose Luis GUERRA, Jr.)
 COB: US)
 YOB: 1979)
 _____)
 Defendant)

Case No.

M-19-1332-M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 06/07/2019 in the county of Hidalgo in the Southern District of Texas, the defendant violated 21 U. S. C. § 952 / 841, an offense described as follows:

Knowingly and intentionally illegally import into the United States approximately 612.7 grams of Oxicodona (oxycodone hydrochloride) a Schedule II Controlled Substance.

Knowingly and intentionally import with the intent to distribute approximately 612.7 grams of Oxicodona (oxycodone hydrochloride) a Schedule II controlled substance.

This criminal complaint is based on these facts:

See Attachment "A"

Continued on the attached sheet.

/S/ Javier Salinas

Complainant's signature

Javier Salinas, HSI Special Agent

Printed name and title

J. Salinas
 Judge's signature

Judge Hacker, U.S. Magistrate Judge

Printed name and title

Date: 06/08/2019 1:44 am

*@ 8:28AM
 7/8/19*

City and state: McAllen, Texas

ATTACHMENT A

I am a Special Agent (SA) of the United States Homeland Security Investigations (HSI), and have knowledge of the following facts:

1. On May 7, 2019, Jose Luis GUERRA, Jr. entered the United States on foot through the Progreso, Texas Port of Entry.
2. At the Progreso Port of Entry, GUERRA gave negative declarations for weapons, ammunition and monetary instruments in excess of \$10,000 to Customs and Border Protection (CBP) officers. GUERRA declared small amounts of personal medication and no further narcotics.
3. GUERRA stated he travelled to Mexico from Mission to shop and GUERRA declared he is a United States citizen.
4. GUERRA placed his bag on the counter for inspection where a CBP officer visually inspected 2 boxes of cookies belonging to GUERRA. The CBP Officer noticed a box to be heavier than normal. GUERRA was then asked to open the box where the CBP Officer observed cookies along with several rows of packaged medication contrary to his initial declaration.
5. GUERRA was referred for a secondary inspection. During the secondary inspection, medication labeled Oxicodona (oxycodone) were found concealed within boxes of cookies that GUERRA had in his possession upon crossing from Mexico into the United States.
6. Further inspection resulted in the discovery of a total of 3,000 dosage units of Oxicodona (oxycodone).
7. GUERRA was then detained for further investigation. HSI SAs then advised GUERRA of his Miranda warnings in the English language, which he stated he understood and waived in writing.
8. HSI SAs discovered GUERRA had negotiated a purchase several months ago of a large amount of Oxycodone in Progresso, Mexico prior to coming into the United States. GUERRA stated the agreement was to purchase Oxycodone for \$75 USD per pack. GUERRA advised the agreement made roughly one week ago was for the purchase of 100 packs at \$75 USD per pack, totaling \$7,500 USD for 100 packs at \$75 USD per pack. On today's date (6/7/19) GUERRA took \$7,500 cash USD to Progresso, Mexico, paid to a third party for the 100 packs of Oxycodone. While in Mexico, GUERRA purchased boxes of cookies and then travelled to a local pharmacy where the packs of Oxycodone were placed inside the cookie boxes in the pharmacy. GUERRA then walked on foot to the Progresso Port of Entry where he met with a CBP Officer for primary inspection. GUERRA then attempted to clandestinely import the Oxycodone from Mexico into the United States through the Progresso Port of Entry. GUERRA admitted that he imported the Oxycodone into the United States and that he was in possession of the Oxycodone.
9. GUERRA advised he was going to distribute the Oxycodone for profit in the United States after the illegal importation from Mexico.
10. GUERRA does not possess licenses, prescriptions, or a DEA registration number authorizing him to possess or import the concealed narcotics.
11. GUERRA admitted he was in possession and intended to distribute 612.7 grams of Oxycodone from Mexico into the United States to HSI Special Agents.